

**AI IN PRACTICE:  
WHAT TO DO, AND WHAT NOT  
TO DO, THAT IS THE QUESTION**

**BY JEREMY M. EVANS | CALIFORNIA SPORTS LAWYER<sup>®</sup> | [CSLLEGAL.COM](https://www.cslllegal.com)  
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# ABOUT CSL



Jeremy M. Evans is the CEO, Founder, and Managing Attorney of California Sports Lawyer® | Private practice in entertainment, media, and sports law in Hollywood and Newport Beach, California



President, California Lawyers Association  
(2021-2023)  
President, California Lawyers Foundation  
(2023-present)  
Chair, CLA's Task Force on AI



# GOALS AND OBJECTIVES

## Ethical Rules

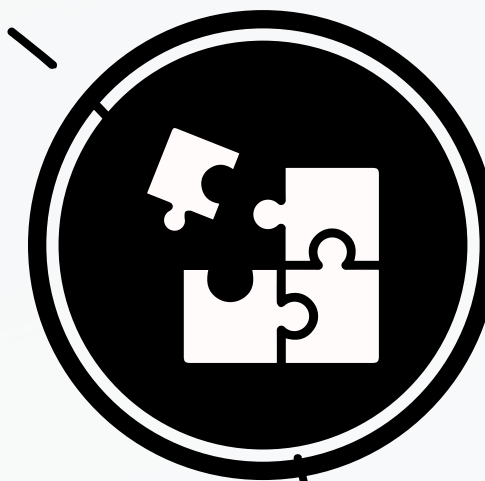
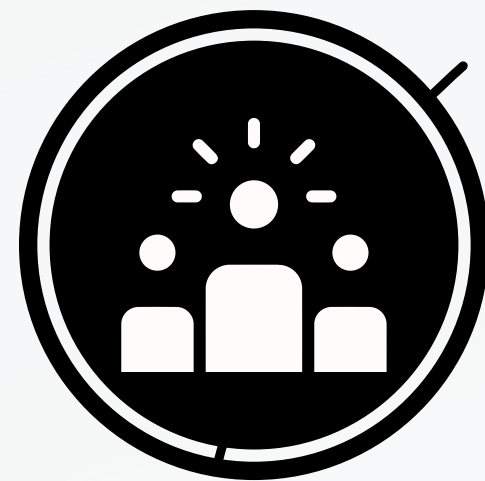
Learn Practical Guidance from the State Bar of California (Committee on Professional Responsibility and Conduct, COPRAC)

## Understand AI

Learn the limitation of AI and the benefits in the practice law

## Learn the Landscape

Some practical examples: Learn what other bar associations and industries are doing with AI



# SURVEY OF AI BIZ

## Mission



- Hollywood studios and sports networks/streamers considering use of software that translates languages: “instantaneously dub any performance in over 100 languages, dialects, and accents using the original voices with their nuances.”
- Spotify and other streamers using AI in algorithms to get to know you.

- Music labels and producers using AI to create music.
- ChatGPT and businesses that support AI and lawyers; document drafting, accounting, and more.
- “Robots will be able to do everything better than us.” - Elon Musk (e.g., regulation is needed; Executive Order)

## Vision





# STATE BAR RULES

- Duty of Confidentiality: Know & protect your inputs
- Duties of Competence and Diligence: MCLE & Learn
- Duty to Comply with the law: Digital, AI, or not
- Duty to Supervise: Need to know others actions
- Duty to Communicate: w/ client, was AI used?
- Charging for work: Cannot charge for time saved!
- Candor to Tribunal: Review AI's work!
- Prohibition on Discrimination: AI is biased!
- Professional Responsibilities: Other jurisdictions



01

**CLA & SBOC**

Task Force on AI to determine:

1. Benchmark and Compare
2. Practice Area AI
3. Governance in AI

Discussed COPRAC guidance already

02

**UTAH**

Under SB149, businesses that use generative AI could be held liable if that AI deceives consumers in violation of Utah's consumer protection laws; Client must agree to use of AI in providing legal services (Utah State Bar)

03


**EUROPE**

The EU AI Act: The Act aims to prioritize human rights in the development and deployment of AI, categorizing systems based on the impact they can have on people's lives . . . and imposing hefty fines!

04

**FEDERAL**

EO: "Require that developers of the most powerful AI systems share their safety test results and other critical information with the U.S. government."



# ISSUES WITH AI



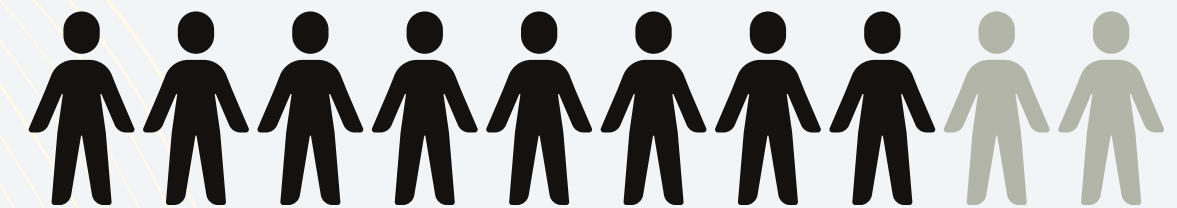
1. Issues of acceptance of technology (reluctance)
2. Rush to adopt
3. AI bill of rights (human values)
4. Copyright and trademark in AI and Metaverse; USPTO rules
5. Privacy issues; GDPR
6. Training models
7. Prediction bias issues; classification (what confidence level is the decision/result)
8. Machine learning like Drax in Marvel films (too literal)
9. Human beings are smart
10. Upscaling (smart trucks/automated trucks; employment); train truckers to manage the AI and train it?
11. Lawyers using ChatGPT versus ChatGPT using Lawyers!



# BEST PRACTICES

- Like analytics in baseball, human element and touch is key and essential to success
- Avoid the temptation to rely on shortcuts
- Establish boundaries and regulations
- AI Bill of Rights & Guides
- Be informed, not scared
- Follow the rules; use common sense
- Digital does not change legality/ethics

**WE CAN DO THIS  
TOGETHER**



# WHAT IS NEXT FOR ATTORNEYS

As attorneys, we have the responsibility to lead and serve the profession:

- Establish a task force and be ahead of the curve
- The industry is moving quickly
- Change is coming, how can we regulate and manage it?

## PROJECT 1

- Share our results and data with the public and bar associations
- Follow the rules and set the example
- Be innovative, but remember the bedrock principles of lawyers

## PROJECT 2

- Avoid “Terminator”, “Matrix”, “Ready Player One” digital and physical realities by being proactive
- AI “ant hill and building a road” example by Elon Musk

## PROJECT 3

# RESOURCES:

<https://calawyers.org/california-lawyers-association/california-lawyers-association-launches-task-force-on-artificial-intelligence/>

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<https://www.whitehouse.gov/briefing-room/statements-releases/2023/10/30/fact-sheet-president-biden-issues-executive-order-on-safe-secure-and-trustworthy-artificial-intelligence/>

<https://www.cslegal.com/weekly-column-interesting-uses-of-artificial-intelligence-in-business/>

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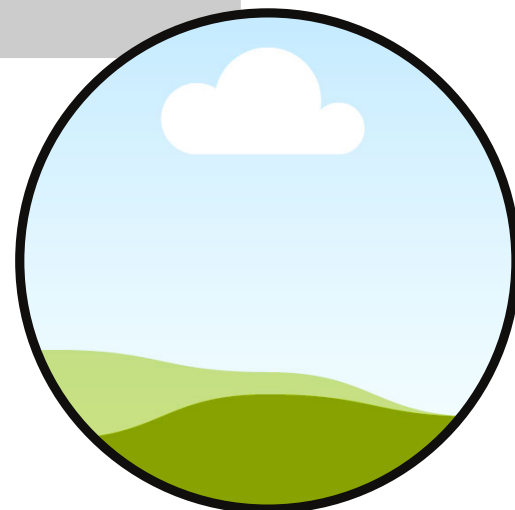
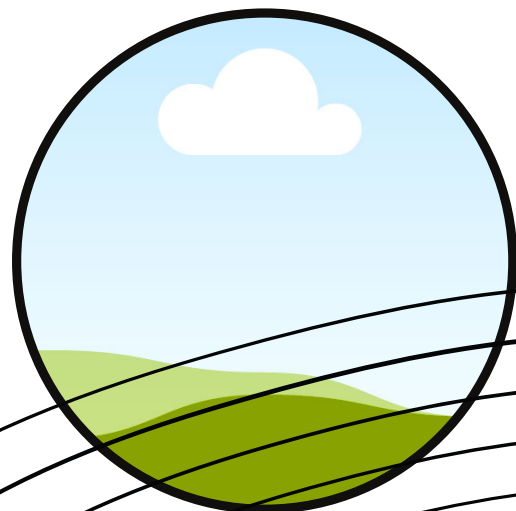
<https://www.utahbar.org/wp-content/uploads/2023/05/ChatGPT-article.pdf>

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<https://www.europarl.europa.eu/topics/en/article/20230601STO93804/eu-ai-act-first-regulation-on-artificial-intelligence>

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<https://s3.documentcloud.org/documents/24166448/recommendations-from-committee-on-professional-responsibility-and-conduct-on-regulation-of-use-of-generative-ai-by-licensees-1.pdf>



# BONUS:



PRACTICE AREA  
REGULATIONS; AI  
Specializations, CLE, and  
legal education

STRATEGY N°1



CCO AND CLO POSITIONS  
SPECIFIC TO AI COMPLIANCE  
(or in the courts)

STRATEGY N°2



USE AI LIKE Robert Downey  
Jr. in "IRONMAN" with Jarvis!

STRATEGY N°3

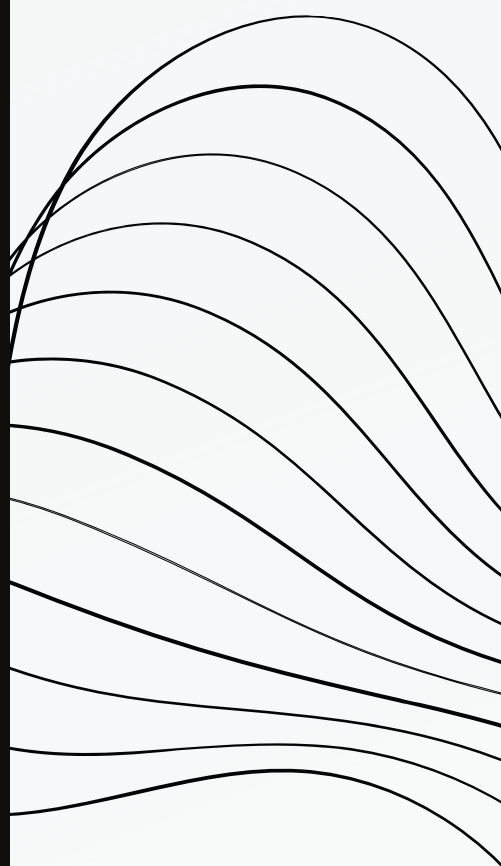


# CONTACT

*Jeremy M. Evans*  
*Chief Entrepreneur Officer, Founder & Managing Attorney*  
*California Sports Lawyer®*  
*Entertainment | Media | Sports*  
*E: [Jeremy@CSLlegal.com](mailto:Jeremy@CSLlegal.com)*  
*W: [www.CSLlegal.com](http://www.CSLlegal.com)*

*811 Wilshire Boulevard,*  
*17th Floor*  
*Los Angeles, California 90017*  
*P: 213.545.1332*

*260 Newport Center Drive,*  
*Suite 100*  
*Newport Beach, California 92660*  
*P: 949.694.5383*



**THANK YOU  
FOR LISTENING**

*Questions?*

